

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.5397 OF 2005
IN
FIRST APPEAL NO.31 OF 2005**

.....
Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions
& Registrar's orders.
.....

Court's or
Judge's orders

Mr. Bhambray, A.G.P. for State
CORAM: A.S.OKA, J.

DATED: MARCH 2, 2006.

P.C.:

1. Heard learned A.G.P. for the
Applicant-State. The Appeal preferred by
the Applicant is directed against the
Award under Section 18 of the Land
Acquisition Act, 1894. Therefore, stay
cannot be granted unless the entire amount
due and payable under the Award is
deposited.

2. Hence, there will be interim relief in
terms of prayer clause (b) subject to the
condition that the Applicant will deposit
the entire amount due and payable as per
the impugned Judgment and Award in the
reference Court within twelve weeks from

today. If the amount is not deposited within the stipulated period, stay granted will stand vacated automatically. If the amount is deposited by the Applicant, the original claimants will be permitted to withdraw the said amount subject to furnishing security to the satisfaction of the Reference Court.

3. Civil Application is disposed of in above terms.

4. As this order is passed without giving notice to the Respondents, they will be at liberty to apply for modification of this order.

Judge.